

**PRIORITY POPULATION DRUG COURTS
BYRNE JUSTICE ASSISTANCE GRANT (BYRNE JAG) FISCAL YEAR 2014
PROGRAM DESCRIPTION**

NOTE: This program area is restricted to the State Court Administrative Office (SCAO) only. No other applications will be accepted by MSP. SCAO will then accept applications from local priority population drug treatment courts for awards under this program area.

PROBLEM STATEMENT:

Nationwide, 80 percent of all offenders in the criminal justice system - about 1.4 million individuals - are substance abusers, and two-thirds of the three million probationers under court supervision are involved in alcohol or drugs. Despite the overwhelming prevalence of substance abuse, only about three percent of drug-using offenders participate in drug court programs. Drug treatment courts must focus on a broad population if they are to have a substantial impact.

Drug treatment courts involve comprehensive programs that include frequent drug testing, supervision, treatment, judicial monitoring and court-mandated sanctions. Drug treatment courts also serve to generate new levels of program coordination within the criminal justice system, creating partnerships with community organizations, fostering collaboration between governmental agencies, inspiring judicial leadership and forging innovative linkages with law enforcement.

PROGRAM DESCRIPTION:

A Priority Population Drug Court program targets substance abusing felony offenders in order to reduce prison bed space growth. The primary targets within that felony group are non-violent probation violators and other non-violent felony offenders, particularly straddle cell offenders who have a prior record variable of 35 points or more, and who based upon statutory sentencing practices, are otherwise bound for prison.

Drug treatment court systems offer an integrated, systematic approach to dealing with drug-using offenders. Drug treatment courts represent an enhancement of community supervision by closely supervising drug offenders in the community, placing and retaining drug offenders in treatment programs, and providing treatment and related services to offenders who have not received such services in the past. The benefits of drug treatment courts include generating cost savings when offenders' reliance on the service delivery system is ultimately or eventually reduced and especially when drug courts reduce reliance on jail and prisons. Drug courts have been found to substantially reduce drug use and recidivism while offenders are in the program.

Programs and practices used to address the problem statement will be evidence-based. These are considered to be evidence-based when their effectiveness has been demonstrated by causal evidence (generally obtained through one or more outcome evaluations). Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence

depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which programs or practices are considered evidence based.

LIMITATIONS:

Only drug courts that have gone through, or are going through, the federal Drug Court Planning Initiative, or existing drug courts that target substance abusing prison-bound felony offenders, are eligible. Clients must be within the straddle cell category of the Michigan Sentencing Guidelines as a means to reduce the state's burden on the costs of imprisonment. In order to generate new levels of coordination and partnership, drug courts which focus on prison-bound populations should work with local community corrections advisory boards under Michigan's Community Corrections Act (Public Act 511), parole and probation offices, substance abuse coordinating agencies and other stakeholders.

All applicant priority population drug courts must adhere to the standards defined in Public Act 224 of 2004. Priority population drug courts shall refer to the violent offender definition outlined in the Michigan Public Act 224 of 2004 and ensure that such offenders will be excluded from drug court programs.

MATCH REQUIREMENT:

This program area requires no cash match.

GOAL, OBJECTIVES, AND ACTIVITIES:

Goal #1	Reducing the demand for drugs by breaking the cycle of drug use through drug treatment courts.
Objective #1	Integrate alcohol and other drug treatment services with justice system case processing.
Activity	Offer the potential for many different levels and modalities of treatments. Develop adequate case tracking and processing systems.
Objective #2	Using a non-adversarial approach, prosecution and defense counsel, promote public safety while protecting participants' due process rights.
Activity	All program participants must be formally charged and adjudicated. The program must be limited to non-violent offenders.

Objective #3	Provide access to a continuum of alcohol, drug and other related treatment, employment and rehabilitation-based services.
Activity	<p>A broad variety of treatment and rehabilitation services should be made available to participants. Grantees must use the information obtained from the needs assessment to match participants with appropriate services. In addition, adult participants must be provided with employment assistance. Grantees are encouraged to use the 12-step and faith-based treatment services that are present in their community. Family-based treatment should also be emphasized.</p> <p>Coordination with local community correction advisory boards, probation and parole representatives, coordinating agencies, and law enforcement agencies, is encouraged in order to access services for drug court participants.</p>
Objective #4	Abstinence must be monitored by frequent alcohol and other drug testing.
Activity	Prior to program implementation, grantees must develop a drug testing policy. This policy should include both fixed interval and random drug tests. The number of random drug tests administered should be proportionate to the results of past drug tests.
Objective #5	A coordinated strategy governs drug court responses to participants' compliance.
Activity	Grantees are encouraged to develop shared information systems with other members of the local criminal justice community. Participation in the program must be included as a condition of probation. Probation conditions should be included in the Law Enforcement Information Network (LEIN). Grantees should dedicate adequate staff time to the case management of program participants. If staff resources are available, a full time case manager, treatment coordinator, or probation officer should be assigned to provide case management. For circuit court drug courts, coordination with local probation, parole and law enforcement officials should be well defined.

Objective #6	Ongoing judicial interaction with each drug court participant is essential.
Activity	A system of graduated sanctions for program violations should be developed prior to implementation. Incentives should also be incorporated into the program. Grantees must also develop a court appearance schedule for all participants to appear before a judge so that periodic status reports can be developed. Program participants should be required to make a contribution toward program costs. The nature of the participant contribution (e.g., cash payment, community service) should be determined by court personnel.
Goal #2	Reduce the number of “straddle ell” offenders and (parole) probation violators sent to prison.
Objective #1	Eligible participants should be identified early in accordance with formal selection criteria and promptly placed in the drug court program.
Activity	Prior to implementation, selection criteria must be developed. Sophisticated case management also must be in place to screen candidates for successful intervention. Each participant must be given a formal needs assessment evaluation by a treatment professional at the initiation of the program.
Objective #2	Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
Activity	<p>Assessment of program processing and outcomes of drug courts is required. The first year of drug court operation should include adequate comparison groups, which may include a plan for random assignment of individuals to treatment and non-treatment control groups.</p> <p>For drug courts targeting otherwise prison bound felons, monitoring and reporting of Michigan Sentencing Guideline scores is essential as well as data to measure relapse and recidivism, defined as a new criminal conviction either during the program or after graduation.</p>
Objective #3	Continuing interdisciplinary education promotes effective drug court planning, implementation and operations.
Activity	Monthly (or more frequent) meetings of project personnel are necessary.

Objective #4	Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court effectiveness.
Activity	<p>The development of partnerships and increased collaboration at the local and state level are encouraged to maximize the effect of resources.</p> <p>Coordination with local probation, parole, community corrections advisory boards, coordinating agencies, substance abuse agencies and law enforcement is required.</p>

NOTE: This is a competitive grant and will be awarded based on merit, demonstrated need, data-driven decision making and performance measures. SCAO will be the awarding agency to the local drug treatment courts.

PREVIOUS GRANT COMPLIANCE:

Application reviews will include scoring on the applicant's previous compliance with Byrne JAG federal and state requirements for timeliness, accuracy, and completeness of reports.

UNALLOWABLE EXPENSES AND ACTIVITIES:

- Costs in applying for this grant (e.g., consultants, grant writers, etc.).
- Any expenses incurred prior to the date of the contract.
- Any administrative costs not directly related to the administration of this grant award.
- Indirect costs rates or indirect administrative expenses (only direct costs permitted).
- Personnel, including law enforcement officers, not connected to the project for which you are applying.
- Lobbying or advocacy for particular legislative or administrative reform.
- Fund raising and any salaries or expenses associated with it.
- Legal fees.
- All travel including first class or out-of-state travel (prior approval required).
- Promotional items (except preauthorized under certain program areas).
- One-time events, prizes, entertainment (e.g., tours, excursions, amusement parks, sporting events) (except preauthorized under certain program areas).
- Honorariums.
- Contributions and donations.
- Management or administrative training, conferences (only pre-approved project related training).
- Management studies or research and development (costs related to evaluation are permitted).
- Fines and penalties.
- Losses from uncollectible bad debts.
- Purchase of land.
- Memberships and agency dues, unless a specific requirement of the project (prior approval required).
- Compensation to federal employees for travel or consulting fees.
- Military type equipment such as armored vehicles, explosive devices, and other items typically associated with the military arsenal.

- Purchase vehicles, vessels or aircraft.
- Construction costs and/or renovation (including remodeling).
- Service contracts and training beyond the expiration of the grant award.
- Informant fees, rewards or buy money.
- K9 dogs and horses (including any food and/or supplies relating to the upkeep of law enforcement animals).
- Livescan devices for applicant prints, including any related supplies.
- Weapons, including tasers.
- Food, refreshments, snacks.
 - Note: No funding can be used to purchase food and/or beverages for any meeting, conference, training, or other event. Exceptions to this restriction may be made only in cases where such sustenance is not otherwise available (e.g., extremely remote areas), or where a special presentation at a conference requires a plenary address where there is no other time for sustenance to be attained. Such an exception would require prior approval from the Department and the U.S. Department of Justice. This restriction does not apply to water provided at no cost, but does apply to any and all other refreshments, regardless of the size or nature of the meeting. Additionally, this restriction does not impact direct payment of per diem amounts to individuals in a travel status under your organization's travel policy.

BUDGET DEVIATION ALLOWANCES:

Budget deviation allowances are not accepted. All budget and programmatic changes will require a formal amendment on the Michigan Automatic Grant Information Connection (MAGIC) system.

INITIATION OF PROJECT:

All projects must be initiated within 60 days of the date the grant is awarded.

REPORTING REQUIREMENTS:

If this application is selected for a Byrne JAG award, the requirements below must be adhered to. Failure to do so may cause your award to be suspended or revoked.

PERFORMANCE/PROGRESS/PERFORMANCE MEASUREMENT TOOL (PMT) REPORTS:

Progress reporting will take place no later than 20 days after the end of each quarter through the federal PMT system located at: <http://www.bjaperformancetools.org>. If applicable, another report also due no later than 20 days after the end of each quarter must be submitted that will include performance on implementation, activity, goals and objectives as well as metrics specific to your program area.

Quarterly due dates are outlined below:

- January 20, 2014
- April 20, 2014
- July 20, 2014
- October 20, 2014

All Performance/Progress/PMT Reports must be attached to MAGIC by the 20th day after the end of each quarter. It is the grantees responsibility to familiarize themselves with the requirements of the Performance/Progress/PMT Reports, which are contained within the awarded contract.

FINANCIAL STATUS REPORTS (FSR) (REQUEST FOR REIMBURSEMENT):

FSRs must be submitted on a monthly basis, no later than 30 days after the close of each calendar month. Requests for reimbursement must be submitted for the month in which payment by your agency was made. Dates are outlined below:

Report Period	Report Due Date
10/1/13 - 10/31/13	11/30/13
11/1/13 - 11/30/13	12/30/13
12/1/13 - 12/31/13	1/30/14
1/1/14 - 1/31/14	2/28/14
2/1/14 - 2/28/14	3/30/14
3/1/14- 3/31/14	4/30/14
4/1/14 - 4/30/14	5/30/14
5/1/14 - 5/31/14	6/30/14
6/1/14 - 6/30/14	7/30/14
7/1/14 - 7/31/14	8/30/14
8/1/14 - 8/31/14	9/30/14
9/1/13- 9/30/14	10/30/14
Obligation Report 9/1/13-9/30/14	9/12/14

The FSR form and instructions for completing the FSR form are contained within the MAGIC system. It is the grantees responsibility to familiarize themselves with the requirements of the FSR, which are contained within the awarded contract.